

REMARKS

Claims 1 through 63 were presented for examination and were rejected.

Claims 1 through 4, 13, 14, 23 through 30, 32, 36 through 39, 45 through 48, 52, and 58 through 61 were amended to improve clarity and readability.

The applicant respectfully requests reconsideration in light of the amendments and the following comments.

35 U.S.C. 102 Rejection of Claims 1-4, 7-11, 14-22, 36-48, 51-55, and 58-63

Claims 1 through 4, 7 through 11, 14 through 22, 36 through 48, 51 through 55, and 55 through 63 were rejected under 35 U.S.C. 102(e) as being anticipated by H. R. Smith, Jr., U.S. Patent 6,836,667, issued September 19, 2000 (hereinafter "Smith"). The applicant respectfully submits that the claims, as amended, overcome the rejection.

Claim 1, as amended, recites:

1. A method comprising:

receiving a command from a mobile telecommunications terminal; and
determining whether to execute said command based on the geo-
location of said mobile telecommunications terminal.

(emphasis supplied)

Nowhere does Smith teach or suggest, alone or in combination with the other references, what claim 1 recites – namely receiving a **command** (*i.e.*, an instruction to execute) from a mobile terminal and determining whether to execute the command based on the terminal's geo-location. The present invention can be used, for example, to prevent a user from executing a "delete record" command from his or her terminal unless the terminal is located in the database administrator's office.

In contrast, Smith teaches a wireless terminal that is associated with a particular category of information, and that automatically receives information related to that category when the terminal enters a site associated with the category. Smith does not disclose anything about receiving a command from a terminal's user, let alone determining whether to execute such a command, and therefore does not provide any mechanism for denying execution of a command entered at a terminal.

Applicant respectfully disagrees with the Office's assertion that Smith Fig. 6 step S2 – "Receiving information from wireless mobile unit" – teaches the receiving of a command to execute. As explained in Smith Col. 7 lines 32 through 43, in step S2 the mobile terminal

is merely transmitting information (*i.e.*, data, not a command) in accordance with the standard terminal/base-station communication protocols, as is well-known in the art.

Furthermore, when a user in Smith designates a category that he or she would like to receive information about in the future, this is not a command to retrieve information – despite the Office’s use and emphasis of the word “retrieved” in its argument – nor does Smith teach that this designation might be denied based on the geo-location of the terminal when the designation is made. In Smith, after a designation is made, the terminal will passively receive information matching the category when the user is close enough to a transmitter that “pushes” the information. The terminal does not issue a request for information – let alone a request that is refused.

For these reasons, the applicant respectfully submits that the rejection of claim 1 is overcome.

Because claims 2 through 4 and 7 through 11 depend on claim 1, the applicant respectfully submits that the rejection of them is also overcome.

Claim 14, as amended, recites:

14. A method comprising:
receiving at a mobile telecommunications terminal a request to access content; and
determining a *version of said content* to access based on the geo-location of said mobile telecommunications terminal.
(*emphasis supplied*)

Nowhere does Smith teach or suggest, alone or in combination with the other references, what claim 14 recites – namely receiving a request from a mobile terminal to access content, and determining what version of the content to transmit to the terminal based on the terminal’s geo-location. The present invention can be used, for example, to provide a user with an edited version of a video clip when the user is in a church, and an unedited version of the video clip when the user is at home.

Smith teaches the use of different categories of information (*e.g.*, sports, potent potables, *etc.*), but does not disclose *anything* about different versions of content – let alone a mechanism for accessing different versions of content.

For these reasons, the applicant respectfully submits that the rejection of claim 14 is overcome.

Because claims 15 through 22 depend on claim 14, the applicant respectfully submits that the rejection of them is also overcome.

Claim 36, as amended, recites:

36. A method comprising:
transmitting from a mobile telecommunications terminal a request to access remote content; and
receiving at said mobile telecommunications terminal *a version of said remote content* that is based on the geo-location of said mobile telecommunications terminal.
(emphasis supplied)

For the same reasons as for claim 14, the applicant respectfully submits that the rejection of claim 36 is overcome.

Because claims 37 through 44 depend on claim 36, the applicant respectfully submits that the rejection of them is also overcome.

Claim 45, as amended, recites:

45. A method comprising:
receiving at a mobile telecommunications terminal *a command issued by the user of said mobile telecommunications terminal*; and
determining whether to execute said command based on the geo-location of said mobile telecommunications terminal.
(emphasis supplied)

For the same reasons as for claim 1, the applicant respectfully submits that the rejection of claim 45 is overcome.

Because claims 46 through 57 depend on claim 45, the applicant respectfully submits that the rejection of them is also overcome.

Claim 58, as amended, recites:

58. A method comprising:
receiving at a mobile telecommunications terminal a request by the user of said mobile telecommunications terminal to access content; and
determining a version of said content to output based on said geo-location of said mobile telecommunications terminal.
(emphasis supplied)

For the same reasons as for claims 14 and 36, the applicant respectfully submits that the rejection of claim 58 is overcome.

Because claims 59 through 63 depend on claim 58, the applicant respectfully submits that the rejection of them is also overcome.

35 U.S.C. 103 Rejection of Claims 23, 26-28, and 31-34

Claims 23, 26 through 28, and 31 through 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of C. Massy et al., U.S. Patent Application Publication 2001/0004589 A1, published June 21, 2001 (hereinafter "Massy"). The applicant respectfully submits that the claims, as amended, overcome the rejection.

Claim 23, as amended, recites:

23. A method comprising:
receiving at a mobile telecommunications terminal *a user input for executing a remote command*;
transmitting said remote command from said mobile telecommunications terminal to a remote device; and
receiving at said mobile telecommunications terminal, in response to said remote command, an indication of whether said command *was executed or refused by said remote device*, wherein said indication is based on the geo-location of said mobile telecommunications terminal.
(emphasis supplied)

Nowhere does Smith or Massy teach or suggest, alone or in combination, what claim 23 recites – namely executing or refusing to execute a command entered at a mobile terminal, based on the terminal's location. Massy teaches a speech-recognition system for recognizing names spoken into the microphone of a mobile telephone. As noted in the Office action, Massy teaches a mobile telephone with an option to refuse execution of a command that is sent to the telephone from a server. The mobile telephone of Massy, however, asks the user of the telephone whether he or she wants to execute a command. In contrast, in the present invention a command is refused based on the terminal's location, in direct opposition to the wishes of the user.

For these reasons, the applicant respectfully submits that the rejection of claim 23 is overcome.

Because claims 26 through 28 and 31 through 34 depend on claim 23, the applicant respectfully submits that the rejection of them is also overcome.

35 U.S.C. 103 Rejection of Claims 5, 6, 49, and 50

Claims 5, 6, 49, and 50 were rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Elsey et al., U.S. Patent 6,801,763 (hereinafter "Elsy").

The applicant respectfully submits that claims 5 and 6, because they depend on claim 1, and because Elsey fails to cure the deficiencies of Smith, are allowable based on the argument above for claim 1.

The applicant respectfully submits that claims 49 and 50, because they depend on claim 45, and because Elsey fails to cure the deficiencies of Smith, are allowable based on the argument above for claim 1.

35 U.S.C. 103 Rejection of Claim 12

Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Drutman et al., U.S. Patent 6,618,593 (hereinafter "Drutman").

The applicant respectfully submits that claim 12, because it depends on claim 1, and because Elsey fails to cure the deficiencies of Smith, is allowable based on the argument above for claim 1.

35 U.S.C. 103 Rejection of Claim 13

Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Sorvari et al., U.S. Patent Application Publication 2004/0043758 A1 (hereinafter "Sorvari").

The applicant respectfully submits that claim 13, because it depends on claim 1, and because Sorvari fails to cure the deficiencies of Smith, is allowable based on the argument above for claim 1.

35 U.S.C. 103 Rejection of Claim 24 and 25

Claims 24 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Massy in further view of Sorvari.

The applicant respectfully submits that claims 24 and 25, because they depend on claim 23, and because Massy and Sorvari fail to cure the deficiencies of Smith, are allowable based on the argument above for claim 23.

35 U.S.C. 103 Rejection of Claim 29 and 30

Claims 29 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Massy in further view of Elsey.

The applicant respectfully submits that claims 29 and 30, because they depend on claim 23, and because Massy and Elsey fail to cure the deficiencies of Smith, are allowable based on the argument above for claim 23.

35 U.S.C. 103 Rejection of Claim 35

Claim 35 was rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Massy in further view of Drutman.

The applicant respectfully submits that claim 35, because it depends on claim 23, and because Massy and Drutman fail to cure the deficiencies of Smith, is allowable based on the argument above for claim 23.

35 U.S.C. 103 Rejection of Claim 56

Claim 56 was rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Parapudi et al., U.S. Patent Application Publication 2002/0119788 A1 (hereinafter "Parapudi").

The applicant respectfully submits that based on the argument above for claim 45, claim 56 is allowable because it depends on claim 45, and because Parapudi fails to cure the deficiencies of Smith – namely, in Parapudi the signal for changing a setting of a mobile terminal is generated automatically by a base station, rather than by the terminal's user.

35 U.S.C. 103 Rejection of Claim 57

Claim 57 was rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Dowling, U.S. Patent Application Publication 2005/0159173 A1 (hereinafter "Dowling").

The applicant respectfully submits that claim 57, because it depends on claim 45, and because Dowling fails to cure the deficiencies of Smith, is allowable based on the argument above for claim 45.

Request for Reconsideration Pursuant to 37 C.F.R. 1.111

Having responded to each and every ground for objection and rejection in the Office action mailed July 19, 2006, applicants request reconsideration of the instant application pursuant to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

Should there remain unresolved issues the applicant respectfully requests that Examiner telephone the applicants' attorney at 732-578-0103 x11 so that those issues can be resolved as quickly as possible.

Respectfully,
Doree Duncan Seligmann

By **/Jason Paul DeMont/**
Reg. No. 35793
Attorney for Applicants
732-578-0103 x11

DeMont & Breyer, L.L.C.
Suite 250
100 Commons Way
Holmdel, NJ 07733
United States of America